

FEDERAL JURY SERVICE: A Friendly Guide

The United States District Court for the Northern District of New York would like to welcome you to federal jury service. The Northern District is comprised of 32 counties and represented by six divisional offices. Divisional Offices are located in Albany, Auburn, Binghamton, Syracuse, Utica, and Watertown. The following list of topics is provided to help answer some of the most frequently asked questions about jury service.

- ℞ How was I selected for jury duty?
- ℞ What is a PETIT jury?
- ℞ What is a GRAND jury?
- ℞ What types of cases can I expect to be selected for?
- ℞ Who do I call if I have a question?
- ℞ How can my family reach me in case of an emergency?
- ℞ What if I've already served jury duty?
- ℞ I have travel plans during my term of service, what should I do?
- ℞ Is there a dress code?
- ℞ Can I bring my cellular phone or beeper?
- ℞ What if I don't drive or have a car?
- ℞ Will I have to pay for parking?
- ℞ What if I need proof of my jury service for my employer?
- ℞ On the days that I am not asked to report for jury duty, what do I do?
- ℞ Can I be late?
- ℞ Will I ever be sequestered?
- ℞ Are my attendance fees taxable?
- ℞ Is lunch provided by the court?
- ℞ When will I get paid for my jury service?
- ℞ Will there be long periods of waiting in the jury lounge?
- ℞ How long will jury selection take?
- ℞ Can I leave the Jury Assembly Room or Courtroom?
- ℞ Will I serve on more than one trial during my jury term?
- ℞ What happens if I don't report for jury duty?
- ℞ Important Facts to Remember

- **HOW WAS I SELECTED FOR JURY DUTY?**

Your name was randomly selected by computer from voter registration lists and Department of Motor Vehicle records in accordance with procedures established by the judges of this court and in full compliance with all relevant federal statutes and court rules. Prospective jurors received a questionnaire by mail to be completed and returned to the court. The names of qualified persons are placed on a list from which the court randomly selects its prospective jurors.

- **WHAT IS A PETIT JURY?**

A PETIT jury is a trial jury for both civil and criminal cases. The PETIT jury listens to the evidence offered during a trial and returns a verdict. A verdict in a civil case may be a finding for the plaintiff or for the defendant. A verdict in a criminal case finds the defendant guilty or not guilty.

- **WHAT IS A GRAND JURY?**

A GRAND jury does not determine guilt or innocence, but whether there is probable cause to believe that a crime was committed. The evidence is normally presented only by an attorney for the government. The grand jury must determine from this evidence whether a person should have formal charges filed by the government. If the grand jury finds probable cause, then it will return a written statement of the charges called an “indictment.”

- **WHAT TYPES OF CASES CAN I EXPECT TO BE SELECTED FOR?**

The U.S. District Court tries both criminal and civil cases. Criminal cases include prosecution for drug activity, tax fraud, bank robbery, mail fraud, etc. Civil cases include actions involving prisoner litigation, contract actions, discrimination, etc.

- **WHO DO I CALL IF I HAVE A QUESTION?**

The Court’s Jury Administration Office is available to assist you with any questions regarding your jury service. The telephone number is (866)213-JURY (5879) and the fax number is (315)234-8501. You may also contact the jury office by e-mail at: jury@nynd.uscourts.gov.

- **HOW CAN MY FAMILY REACH ME IN CASE OF AN EMERGENCY?**

Your family may call the Jury Office and the jury staff will get a message to you.

Albany: 1-518-257-1808 or 1-866-213-JURY (5879) long distance
Binghamton: 1-607-773-2893 or 1-866-213-JURY (5879) long distance
Syracuse: 1-866-213-JURY (5879) local and long distance Utica:
1-315-793-8151 or 1-866-213-JURY (5879) long distance Watertown:
1-866-213-JURY (5879) local and long distance Plattsburgh:

1-866-213-JURY (5879) local and long distance

- **WHAT IF I'VE ALREADY SERVED JURY DUTY?**

If you have served in the U.S. District Court or a New York State Court within the past **two** years, and wish to be excused, please include proof of your service when returning your Jury Information Form. To obtain proof of your jury service you should call the court where you served and ask them to fax proof of your service to the U.S. District Court at (315) 234-8501. Please note that only those individuals who actually attended jury selection or served as a juror on a civil or criminal trial are eligible for this exclusion. If you were "on call" but were not required to appear, you will be required to fulfill your federal jury service. If you served as a **grand** juror within the last two years, you may request to be excused from federal service.

- **I HAVE TRAVEL PLANS DURING MY TERM OF SERVICE, WHAT SHOULD I DO?**

Contact the jury office at (866)213-JURY (5879) or e-mail us at jury@nynd.uscourts.gov at least six (6) days prior to the date(s) you need to be excused. The jury staff will be happy to work with you on this.

- **IS THERE A DRESS CODE?**

While no formal dress code exists, jurors are requested to dress in a manner respectful to the Court. Please keep in mind that the courtrooms are often quite cool, so you may want to bring a sweater or jacket with you. For your protection, all persons entering the Courthouse must pass through the magnetometer and have their personal belongings (purse, bag, etc.) X-rayed. Please leave excess metal and jewelry at home to speed your entry.

- **CAN I BRING MY CELL PHONE OR BEEPER?**

Cellular phones, beepers, pagers, pocket knives, guns, mace, cameras, recording machines, and other such items, are strictly prohibited and subject to confiscation. Please **do not** bring them to the Courthouse. A public phone is available for your use at no charge.

- **WHAT IF I DON'T DRIVE OR HAVE A CAR?**

You are responsible for providing your own transportation to the Courthouse. If you cannot drive yourself, you should arrange to take a bus, or have someone drive you. The Court will reimburse your bus fare to and from the courthouse. If such arrangements cannot be made, you should contact the Jury Administrator as soon as possible.

- **WILL I HAVE TO PAY FOR PARKING?**

Follow the directions for parking located in your reporting instructions. Your parking fees will be billed directly to the court. If you are unable to park in the designated parking area, you may incur parking fees. Please notify the jury clerk of any fees that you incur so that you can

be reimbursed by the Court.

- **WHAT IF I NEED PROOF OF MY JURY SERVICE FOR MY EMPLOYER?**

When you appear for jury selection, you will be given a Certificate of Attendance noting the date that you appeared. If you do not obtain a Certificate, but find out that you later need one, please call the Jury Office at (866)213-JURY (5879) and one will be sent to you.

- **ON THE DAYS I AM NOT ASKED TO REPORT FOR DUTY, WHAT DO I DO?**

The Court can only pay or give credit for the days that you are actually at the Courthouse. On all days when your attendance is not required, you should resume your normal schedule.

- **CAN I BE LATE?**

It is extremely important to be prompt for both jury selection and for trial. Your tardiness will delay the court proceedings and inconvenience your fellow jurors, the court, and all the parties involved in the case being tried.

- **WILL I EVER BE SEQUESTERED?**

Not likely. Sequestration is very rare in this federal court. You may choose, however, to stay overnight if you live an excessive distance from the courthouse. The Court will make arrangements for your overnight accommodations and will pay you a per diem rate if you choose to stay overnight. Please contact the jury office to find out more about overnight stay.

- **ARE MY ATTENDANCE FEES TAXABLE?**

Yes. Attendance fees (\$40 per day) are taxable and should be reported to the IRS as income on your yearly tax return. If you are unsure of the amount to report, please call the jury office. You will only receive a 1099 from the Jury Office if you make over \$600 in attendance fees during the year. Payments for travel (mileage, tolls, parking) and subsistence do not need to be reported to the IRS.

- **IS LUNCH PROVIDED BY THE COURT?**

No. Meals are provided by the court only during jury deliberations. Therefore, you should be prepared to either pay for your meals, or bring your lunch with you. Each jury room is equipped with a microwave and refrigerator for your use. When you report for jury selection, the jury clerk will advise you on where to eat. You will be given approximately one hour for lunch each day.

- **WHEN WILL I GET PAID FOR MY JURY SERVICE?**

Payment for jury service will be mailed to you during the first week of the month following your date(s) of service. Your check will include your mileage, attendance fee, and per diem payment, if applicable. If you want to waive payment of your attendance fee, please notify

the Jury Administrator at the time you report for service.

- **WILL THERE BE LONG PERIODS OF WAITING IN THE JURY LOUNGE?**

We will make every effort to move things along quickly the morning that you report for jury service. Unfortunately, sometimes delays cannot be avoided due to last minute pre-trial proceedings in the courtroom. The Court will provide complimentary snacks and beverages in the jury room. If you have special dietary needs, you may bring your food or snacks with you. Restrooms and telephones are also available for your use. Feel free to bring your own reading materials or snacks if you like.

- **HOW LONG WILL JURY SELECTION TAKE?**

When you report for jury selection, you will be given a brief orientation (approx. 45 minutes). After orientation, you will begin jury selection. The length of jury selection depends on the type of trial that you are being selected for. Typically, jury selection for most trials will be completed in 2-3 hours. If you are not selected as a juror, you will be allowed to leave after jury selection, provided there aren't any more trials scheduled that day. Jurors selected for the trial will normally work until 5:00 p.m.

- **CAN I LEAVE THE JURY ASSEMBLY ROOM OR COURTROOM?**

If you need to leave the Jury Room please notify someone in the Jury Office. Once you are in the courtroom you may only leave when the Judge allows for a break.

- **WILL I SERVE ON MORE THAN ONE TRIAL DURING MY JURY TERM?**

No one can predict with certainty the number of trials that any juror will be selected for. Each juror serving on the term has been randomly assigned a juror number. The numbers will be selected in sequential order for assignment to each jury trial. We will call each juror number once before we begin to re-call jurors for a second appearance. The number of times that your number is called depends on the level of trial activity during the month of your service. Because of the uncertainty of the jury needs of the court, it is crucial that you call the toll-free jury message as instructed to keep track of your next report/call in date.

- **WHAT HAPPENS IF I DON'T REPORT FOR JURY DUTY?**

Any juror who fails to report for jury duty may be served an Order to Show Cause. The Court may then hold a hearing on the Order to Show Cause. Jurors who fail to show adequate cause for their absence from jury duty can be held in contempt of court under the Jury Selection Act (18 U.S.C. 1866(g)). Penalties include a fine of not more than \$1,000, imprisonment of not more than three days, community service, or any combination of the three.

IMPORTANT FACTS TO REMEMBER:

- ★ Carry your juror badge at all times while in the Courthouse.
- ★ Cameras, radios, portable telephones, beepers, recorders, firearms, mace, pocket knives, or other potential weapons are not permitted.
- ★ The Jury Administrator is located in Room 742 of the Federal Building, 100 South

Clinton Street, Syracuse, New York. The telephone for the Jury Office is (866)213JURY (5879) and the fax number is (315)234-8501.

★ Should a fire alarm sound while you are serving, please remain in the courtroom and follow the instructions of the judge or the courtroom deputy.

★ If during your term of service you change your home address, telephone number, or name, please notify the Jury Administrator immediately.

★ Remember that appropriate attire is required during your jury service and that respectful conduct is always expected in the courtroom.

★ Requests for temporary absence(s) should be sought at least 6 days in advance by calling the Jury Administration Office at (866)213-JURY(5879), or via e-mail at jury@nynd.uscourts.gov

★ You must call the jury message as instructed. Any inconvenience and/or expense encountered through your failure to follow these instructions will be your responsibility.

★ BE ON TIME! Please keep in mind that an entire proceeding can be delayed due to the tardiness of one juror.

A WORD OF THANKS...

By serving jury duty you are participating in the administration of justice. There is no more valuable service that a citizen can perform in support of our democratic government than the good faith performance of jury service. We will do everything we can to make your experience as a federal juror a rewarding one. Please feel free to call our office to discuss any questions or problems that you experience during the course of your term.